

IN RE: PETITION FOR ZONING VARIANCE  
SW/8 Stratman Road, 180' NW  
of the c/l of Frames Road  
(8103 Stratman Road)  
12th Election District  
7th Councilmanic District  
Adela M. Lombardi and  
Florence Kunsky - Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-36-A

\* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the legal owners of the subject property, Adela M. Lombardi and Florence Kunsky. The Petitioners request relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (swimming pool) to be located within 7 inches of the side yard property line in lieu of the minimum required 2.5 feet, in accordance with Petitioner's Exhibit 1.

Appearing in support of the Petition was Adela Lombardi. No Protestants were present at the hearing, however, a letter of opposition was received from the adjoining property owner, Evelyn Bailey.

Testimony indicated that the subject property, known as 8103 Stratman Road, consists of 1,808.43 sq.ft. zoned D.R. 10.5 and is improved with a single-family townhouse dwelling unit and swimming pool. Said property is located within the Chesapeake Bay Critical Areas near Lynch Point Cove. The Petitioners filed the instant Petition as a result of a zoning violation notice they received concerning the location of the subject pool. Ms. Adela Lombardi testified that the subject pool, which is 15 feet in diameter, has existed in its present location for the past two years. Testimony indicated that prior to the placement of the subject pool, another pool existed in the same location for one year and prior to

that, another pool existed in a different location in the rear yard but the same distance from the side property line. In response to the comments made in the letter received from Ms. Bailey, Ms. Lombardi testified that a concrete barrier prevents water from running onto the complaining neighbor's property. Ms. Lombardi indicated that she has had a swimming pool in her rear yard for many years without prior complaint and that, in fact, Ms. Bailey helped to erect the pools in the past. The evidence and photographs submitted indicate that strict compliance with the zoning regulations would result in practical difficulty and unreasonable hardship for the Petitioners as the rear yard is only 18.57 feet wide and a variance would be required on either side of the pool.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) upon completion of their review of a Findings Plan. As a condition of the granting of the relief requested, the Petitioners shall file a Findings Plan with DEPRM for review and approval within sixty (60) days of the date of this Order.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 2 -

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of September, 1992 that the Petition for Zoning Variance requesting relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (swimming pool) to be located within 7 inches of the side yard property line in lieu of the minimum required 2.5 feet, in accordance with Peti-

- 3 -

tioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 2) Within sixty (60) days of the date of this Order, Petitioners shall submit a Findings Plan for review and approval by DEPRM.

TMK:bjs

*Timothy M. Kofroco*  
TIMOTHY M. KOFROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 9/30/92  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 9/30/92  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 9/30/92  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 9/30/92  
By [Signature]

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12A Date of Posting 9/24/92  
Posted for: Kofroco  
Petitioner: Adela Lombardi & Florence Kunsky  
Location of property: SW/8 Stratman Rd. (8103) 12th Election District  
Location of Sign: Posting on driveway, on front of 8103 Stratman Rd.  
Remarks: [Signature] Date of return: 9/24/92  
Number of Signs: 1

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113, Courthouse  
400 Washington Avenue  
Towson, MD 21204 (410) 887-4386

September 30, 1992

Ms. Adela M. Lombardi  
Ms. Florence Kunsky  
8103 Stratman Road  
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE  
SW/8 Stratman Road, 180' NW of the c/l of Frames Road  
(8103 Stratman Road)  
12th Election District - 7th Councilmanic District  
Adela M. Lombardi, et al - Petitioners  
Case No. 93-36-A

Dear Ms. Lombardi & Ms. Kunsky:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

*Timothy M. Kofroco*  
TIMOTHY M. KOFROCO  
Deputy Zoning Commissioner  
for Baltimore County

cc: Ms. Evelyn Bailey  
8101 Stratman Road, Baltimore, Md. 21222

Chesapeake Bay Critical Areas Commission  
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

People's Counsel

File



## Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 8103 STRATMAN ROAD  
which is presently zoned D.R. 10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 of the B.C.Z.R. to PERMIT AN ACCESSORY STRUCTURE (POOL) WITHIN 7 IN. OF THE SIDE YARD IN LIEU OF THE REQUIRED 2.5 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

ADELA M. LOMBARDI

(Type or Print Name)

Adela M. Lombardi

Signature

FLORENCE KUNSKY

(Type or Print Name)

Florence Kunsky

Signature

8103 STRATMAN ROAD 282-2420

Address Phone No.

BALTIMORE MD 21222

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

ADELA LOMBARDI

Name

8103 STRATMAN RD. 830-2485

Address Phone No.

ESTIMATED LENGTH OF HEARING

on the following date: \_\_\_\_\_ (month/day/year) \_\_\_\_\_ (month/day/year)

at \_\_\_\_\_ (location) \_\_\_\_\_ (location)

ALL OTHER \_\_\_\_\_

REVIEWED BY: JCM DATE: 8-5-92

ORDER RECEIVED FOR FILING  
Date 9/30/92  
By [Signature]

## THE DESCRIPTION - 3 copies required

Three copies of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, do not have adequate information. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 8103 STRATMAN RD.  
(Address)

Beginning at a point on the S.W. side of STRATMAN RD. (north, south, east or west) 60' (name of street on which property fronts) which is 60' (number of feet of right-of-way wide at the distance of 180' (number of feet of right-of-way width) of the centerline of the nearest improved intersecting street FRAMES ROAD. (name of street) which is 60' wide. "Being lot (number of feet of right-of-way width) (street) Block (1), Section 16 in the subdivision of Eastfield (name of subdivision) as recorded in Baltimore County Plat Book 1808, Folio 11-12, containing 1808 1/2 (number of total square feet or acres in lot) Also known as 8103 STRATMAN RD. (number of total square feet or acres in lot) (property address)

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber ( ), Folio ( )" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft. S. 18° 21' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft. and N. 06° 15' 22" W. 480 ft. to the place of beginning.

#38

7

## CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 21, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 20, 1992

THE JEFFERSONIAN,

*S. Zeke Orlan*  
S. Zeke Orlan  
Publisher

CASE 93-36-A (Item 36)  
SW/8 Stratman Road,  
180' NW of c/l of Frames Road  
8103 Stratman Road  
12th Election District  
7th Councilmanic District  
(Petitioner):  
Adela M. Lombardi and  
Florence Kunsky  
Reference: THE JEFFERSONIAN  
SEPTEMBER 24, 1992  
at 10:00 a.m. in Ten 118,  
City Courthouse

Variance to permit an accessory structure (pool) within 7 inches of the side yard in lieu of the required 2.5 feet.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 107631

DATE 8-5-92 ACCOUNT ROOM 1150

AMOUNT \$ 50.00

RECEIVED FROM ADELA Lombardi

FOR VARIANCE FILING FEE

INVOICE #001-1150-02 \$50.00

VALIDATION OR SIGNATURE OF CASHIER #38

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

Date

8/06/92 H930003B

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES		
010 - ZONING VARIANCE (IRL)	1 X	\$50.00
LAST NAME OF OWNER: LOMBARDI		TOTAL: \$50.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

Date Hearing 9/24/92

93-36

04-01-001510-0400 \$50.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

DATE: 9-4-92

(410) 887-3353

Adela Lombardi and Florence Kunsky  
8103 Stratman Road  
Baltimore, Maryland 21222

RE:  
CASE NUMBER: 93-36-A (Item 38)  
SM/S Stratman Road, 180' W of c/l Frames Road  
8103 Stratman Road  
12th Election District - 7th Councilmanic  
Petitioner(s): Adela M. Lombardi and Florence Kunsky  
HEARING: THURSDAY, SEPTEMBER 24, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 62.69 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Carl Jablon  
ARNOLD JABLON  
DIRECTOR

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

August 13, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-36-A (Item 38)  
SM/S Stratman Road, 180' W of c/l Frames Road  
8103 Stratman Road  
12th Election District - 7th Councilmanic  
Petitioner(s): Adela M. Lombardi and Florence Kunsky  
HEARING: THURSDAY, SEPTEMBER 24, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit an accessory structure (pool) within 7' of the side yard in lieu of the required 2.5' lot.

Laurence E. Schmidt  
Laurence E. Schmidt  
Zoning Commissioner of  
Baltimore County

cc: Adela Lombardi and Florence Kunsky  
Evelyn Bailey

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

September 8, 1992

(410) 887-3353

Ms. Adela M. Lombardi  
8103 Stratman Road  
Baltimore, MD 21222

RE: Item No. 38, Case No. 93-36-A  
Petitioner: Adela M. Lombardi, et al  
Petition for Variance

Dear Ms. Lombardi:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this  
5th day of August, 1992

Carl Jablon  
ARNOLD JABLON  
DIRECTOR

Received By:  
W. Carl Richards Jr.  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Adela M. Lombardi, et al  
Petitioner's Attorney:

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

Development Review Committee Response Form  
Authorized signature Laurence E. Schmidt Date 9/3/92

Project Name  
File Number Waiver Number Zoning Issue Meeting Date

Stonegate at Patapsco (Aerial Property)  
90476  
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1

✓ James And Linda Heier	35	8-24-92	NC
DED DEPRM RP STP TE			
✓ Allan L. Snyder Et. Al.	36		NC
DED DEPRM RP STP TE			
✓ Salvo Auto Parts	37		NC
DED DEPRM RP STP TE			
✓ Adela M. Lombardi And Florence Kunsky			NC
DED DEPRM RP STP TE			
✓ Helaine G. And Melvin R. Trosch	39		NC
DED DEPRM RP STP TE			
✓ Baltimore Country Club of Baltimore City	40		NC
DED DEPRM RP STP TE			
✓ Robert E. And Cynthia A. Lyons	43		NC
DED DEPRM RP STP TE			
✓ Perring Woods Court Corporation	44		NC
DED DEPRM RP STP TE			
✓ Perring Woods Court Corporation	45		NC
DED DEPRM RP STP TE			
✓ Helen Mooney Murphy	46		NC
DED DEPRM RP STP TE			
✓ Michael E. Turley	47		comment
DED DEPRM RP STP TE			

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 28, 1992  
Zoning Administration and  
Development Management

FROM: Ervin Mc Daniel  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

In reference to the Petitioner's request, staff offers no comments on the following items:

Item No. 35  
Item No. 38  
Item No. 39  
Item No. 46  
Item No. 43  
Item No. 57

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

EMCD:rdn  
NOCOMMIT/ZAC1



DPW/Traffic Engineering  
Development Review Committee Response Form  
Authorized signature \_\_\_\_\_ Date 8/31/92

Project Name Waiver Number Zoning Issue Meeting Date  
File Number  
Stonegate at Patapsco (Aerial Property) 6-1-92

90476 ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

/ James And Linda Heier 35 N/C 8-24-92

DED DEPRM RP STP TE

/ Allan L. Snyder Et. Al. 36 N/C

DED DEPRM RP STP TE

/ Salvo Auto Parts 37 N/C

DED DEPRM RP STP TE

/ Adela M. Lombardi And Florence Kunsky 38 N/C

DED DEPRM RP STP TE

/ Helaine G. And Melvin R. Trosch 39 N/C

DED DEPRM RP STP TE

/ Baltimore Country Club of Baltimore City 40 N/C

DED DEPRM RP STP TE

/ Robert E. And Cynthia A. Lyons 43 N/C

DED DEPRM RP STP TE

/ Perring Woods Court Corporation 44 N/C

DED DEPRM RP STP TE

/ Perring Woods Court Corporation 45 N/C

DED DEPRM RP STP TE

/ Helen Mooney Murphy 46 N/C

DED DEPRM RP STP TE

/ Michael E. Turley 47 N/C

700 East Joppa Road Suite 901  
Towson, MD 21204-5500 (410) 887-4500

AUGUST 12, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: ADELA M. LOMBARDI & FLORENCE KUNSKY  
Location: #8103 STRATMAN ROAD  
Item No.: 38 (JCM) Zoning Agenda: AUGUST 17, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]*  
Planning Group  
Special Inspection Division

JP/KEK

RECEIVED  
AUG 17 1992

ZONING OFFICE

Department of Recreation and Parks  
Development Review Committee Response Form  
Authorized signature \_\_\_\_\_ Date 8/31/92

Project Name Waiver Number Zoning Issue Meeting Date  
File Number

/ Alfred Pinkard 28 8-10-92

DEPRM RP

/ Bee Tree Partnership 30

DEPRM RP

/ Albert F. Baumgart 31

DEPRM RP

/ Edith B. Ransom 32

DEPRM RP

/ Michael And Patricia A. Perholtz 33

DEPRM RP

/ Charles C., Sr. And Patricia G. Chelbda 34

DEPRM RP

/ RP 34

DEPRM RP

COUNT 6

/ James And Linda Heier 35 8-24-92

DED DEPRM RP STP TE

/ Allan L. Snyder Et. Al. 36

DED DEPRM RP STP TE

/ Salvo Auto Parts 37

DED DEPRM RP STP TE

/ Adela M. Lombardi And Florence Kunsky 38

DED DEPRM RP STP TE

/ Helaine G. And Melvin R. Trosch 39

DED DEPRM RP STP TE

/ Baltimore Country Club of Baltimore City 40

DED DEPRM RP STP TE

/ DEPRM RP STP TE 40

Mr. Arnold E. Jablon  
September 18, 1992  
Page 2

#### REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

Finding: This property is located over 100 feet from the tidal waters of Lynch Cove. Therefore, no disturbance of the shoreline buffer shall occur and this regulation has been met.

2. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code Section 26-447>.

Finding: Non-tidal wetlands are not present on or within the immediate vicinity of this site. Therefore, no dredging, filling, or construction is proposed in any non-tidal wetland for this project and the project is in compliance with the above regulation.

3. Regulation: "New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loadings by 10% of the on-site level prior to new development or redevelopment" <Baltimore County Code Section 26-452(a)>.

Policy: For residential building permits and minor subdivisions, compliance will be accomplished through:

1. installation of modified infiltration devices to treat rooftop runoff, with overflow directed across vegetated areas; and/or
2. planting of woody vegetation selected from the appropriate plant association list of the Forest Establishment Manual in accordance with the Forest Cover Formula as given in the Forest Protection Policies, with a minimum area equal to at least 15% of the lot or a maximum area equal to the proposed impervious surface coverage.

Finding: At present, the downspouts from the existing house are directed onto the front lawn and onto the rear paved yard. Therefore, to meet this requirement the following plant material shall be selected from the Forest Establishment Manual and planted to provide a 15% forested cover. Shrub and small tree list: 1 item - ball and burlap or two gallon container size.

Mr. Arnold E. Jablon  
September 18, 1992  
Page 3

#### CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal does comply with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

*[Signature]*  
J. James Dieter, Director  
Department of Environmental Protection  
And Resource Management

JJD:SA:ju

Attachment

LOMBARDI/MQCBCA

RECEIVED  
SEP 23 1992

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Carl W. Richards  
Zoning Coordinator August 10, 1992

FROM: James H. Thompson -LJW  
Zoning Enforcement Coordinator

RE: Item No. 38  
Petitioner: Florence Kunsky &  
Adela Lombardi  
8103 Stratman Road  
Baltimore, Md. 21222

VIOLATION CASE # C-92-2824

LOCATION OF VIOLATION 8103 Stratman Road

DEFENDANT see above

ADDRESS

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME

Evelyn Bailey  
8101 Stratman Road

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

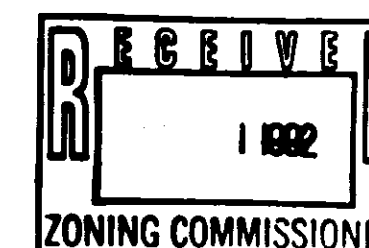
BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director  
Office of Zoning Administration  
and Development Management

DATE: September 18, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item #38  
Lombardi Property  
Chesapeake Bay Critical Area Findings



#### SITE LOCATION

The subject property is located at 8103 Stratman Road. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Adela M. Lombardi

#### APPLICANT PROPOSAL

The applicant has requested a variance from section 400.1 of the Baltimore County Zoning Regulations to permit an accessory structure (pool) within seven inches of the side yard in lieu of the required 2.5 feet.

#### GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

8103 Stratman Rd  
Md 21222  
SEP 18 1992  
ZONING COMMISSIONER  
93-36A Item 38

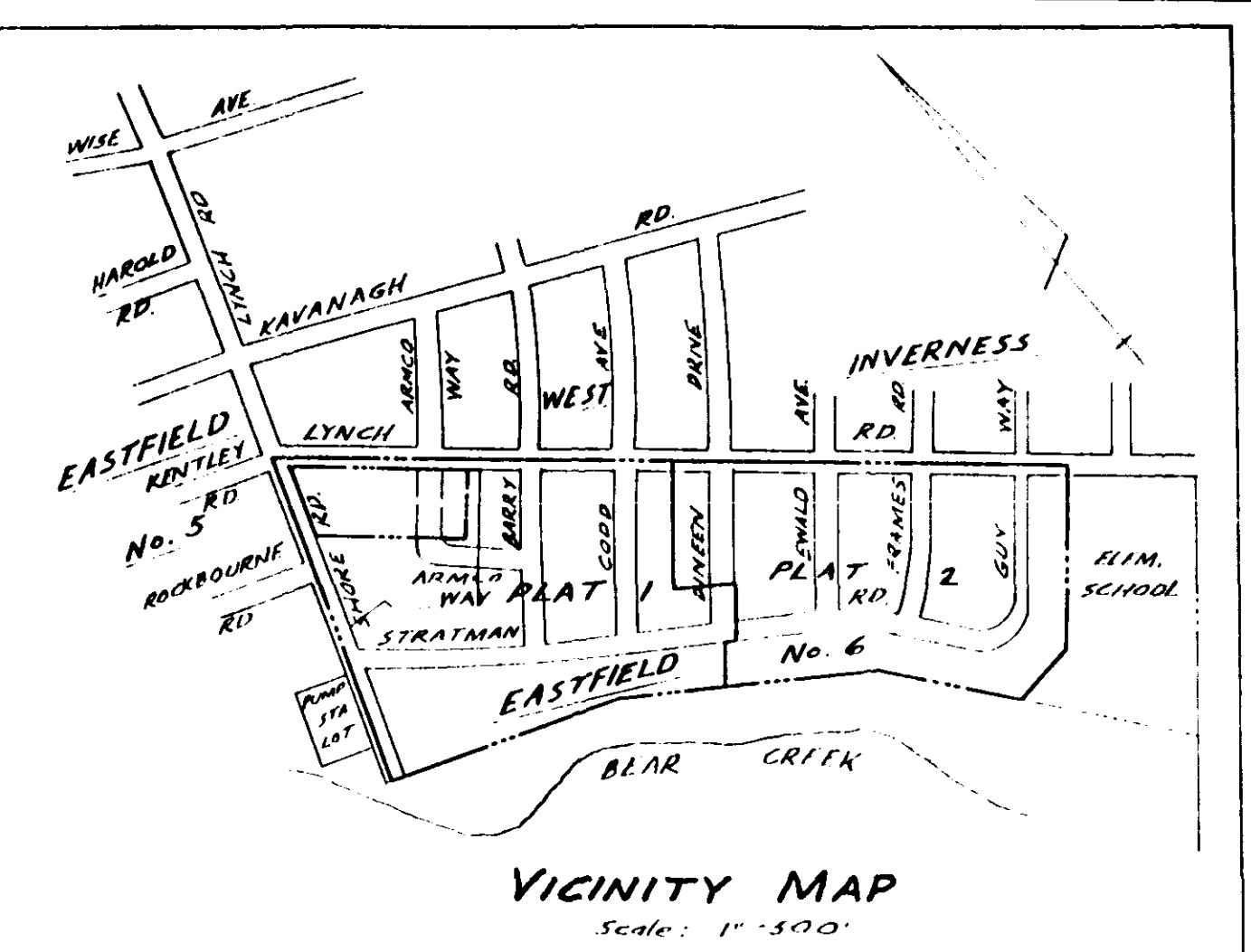
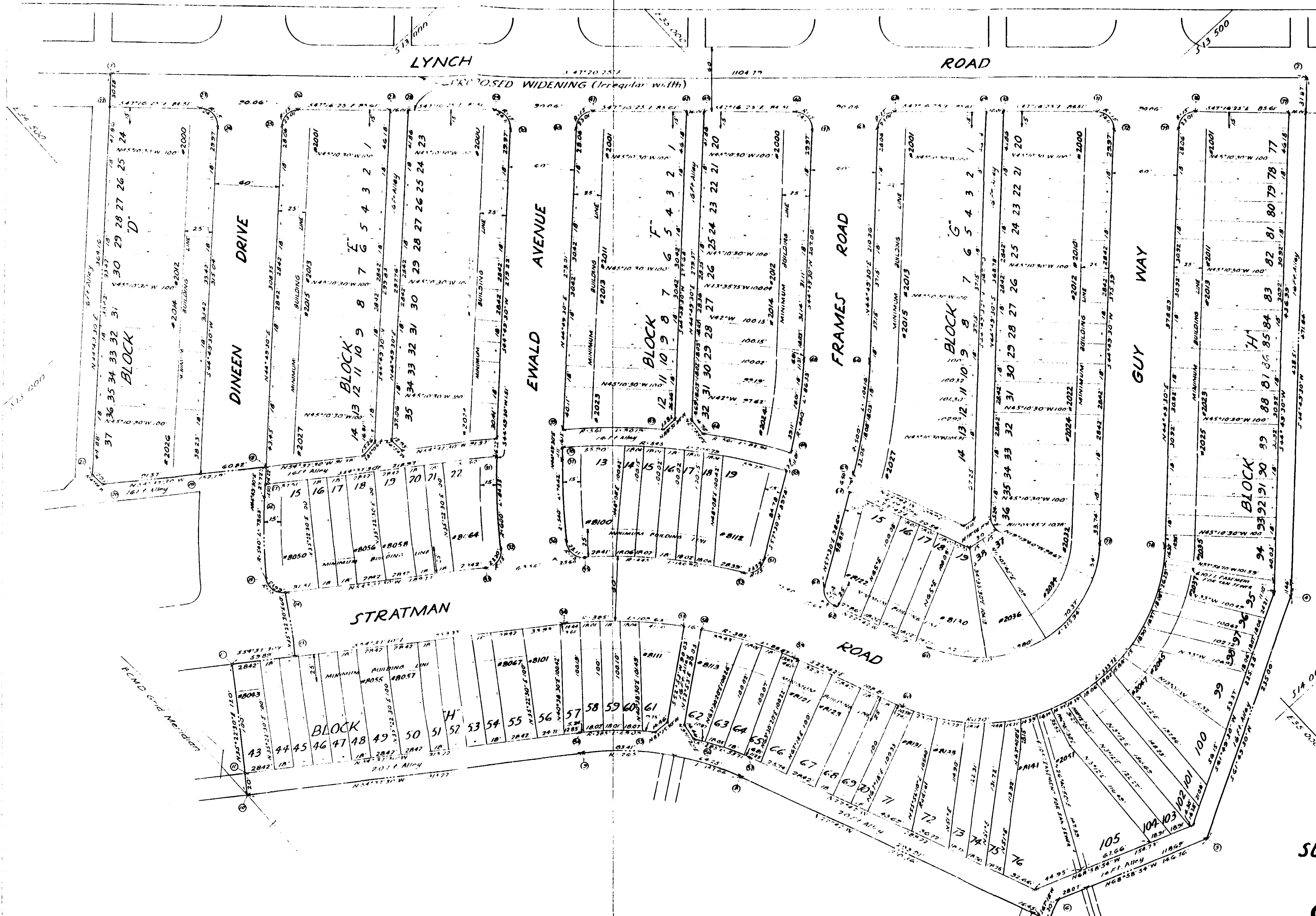
Dear Sir,  
In ref. to the above case number -  
I am writing on my behalf for F  
have trouble getting it and from  
my distance do it back to you.

① Pool is too close to my fence  
② Pool is not posted or secured  
enough to prevent any one climbing  
my fence from falling in and drowning  
③ Fence needs to be painted and  
unable to do so due to location of  
pool - (Fence starting to rot)  
④ If painting was done and any  
slashed on pool - they would want  
me to replace such  
⑤ If I did decide to sell house both  
pool and driveway fence would come on  
to kept any and may cause loss of full



93-36-A 38





COORDINATES							
PT.	EAST	SOUTH	PT.	EAST	SOUTH	PT.	EAST
1	34 551.60	12 843.30	27	34 761.77	13 041.52	53	34 646.70
2	35 404.06	13 529.25	28	34 772.99	13 052.38	54	34 509.58
3	35 381.59	13 674.50	29	34 835.01	13 103.72	55	34 560.54
4	35 071.43	13 526.61	30	34 835.47	13 131.32	56	34 582.25
5	34 864.28	14 037.37	31	34 676.14	13 341.23	57	34 607.51
6	34 727.28	13 384.93	32	34 571.09	13 405.71	58	34 636.35
7	34 708.83	13 292.45	33	34 550.39	13 408.26	59	34 629.77
8	34 589.04	13 706.34	34	34 567.40	13 494.64	60	34 741.76
9	34 498.01	13 592.53	35	34 622.65	13 461.17	61	34 797.11
10	34 242.62	13 411.20	36	34 620.09	13 440.45	62	34 760.00
11	34 254.19	13 354.89	37	34 668.01	13 384.23	63	34 765.77
12	34 312.09	13 313.35	38	34 676.33	13 376.35	64	34 807.11
13	34 360.92	13 348.03	39	34 678.29	13 364.91	65	34 824.39
14	34 395.64	13 259.11	40	34 880.35	13 171.27	66	34 934.25
15	34 392.36	13 277.84	41	34 901.77	13 170.83	67	35 083.24
16	34 440.55	13 222.24	42	34 964.05	13 228.91	68	35 104.05
17	34 448.64	13 214.09	43	34 754.43	13 425.59	69	35 166.94
18	34 460.09	13 202.33	44	34 778.24	13 452.69	70	35 178.70
19	34 410.50	13 167.37	45	34 975.82	13 237.78	71	35 240.78
20	34 335.99	13 114.47	46	35 031.89	13 291.11	72	35 241.24
21	34 334.89	13 101.59	47	35 038.36	13 310.71	73	34 976.61
22	34 570.04	12 864.29	48	34 842.39	13 462.57	74	35 012.17
23	34 632.12	12 922.35	49	34 825.24	13 521.13	75	35 012.17
24	34 632.12	12 943.29	50	34 812.51	13 527.71	76	35 029.94
25	34 677.46	12 983.88	51	34 741.01	13 514.32	77	35 367.88
26	34 638.28	12 983.44	52	34 720.29	13 570.11		

W.J.R. 26 FOLIO 102  
RECEIVED FOR RECORD  
SEP 25 1959 at  
same day recorded in Liber  
W.J.R. No. 1000, folio  
One of the Records of  
Baltimore County and ex-  
amined, per

**SUBDIVISION PLAT NO. 2  
SECTION NO. 6  
EASTFIELD  
(SHOWING CONTEMPLATED SUBDIVISION)  
12<sup>th</sup> DISTRICT  
BALTIMORE COUNTY, MD.**

**THE FENWICK CORPORATION  
11 E. FAYETTE ST.  
BALTIMORE, MD.**

CURVE TABLE							
FROM TO	R	L	Δ	T	CHORD BEARING	CHORD	CHORD
23 24	15'	24.11	92° 05' 55"	15.36	S 7° 13' 21.5" E	21.60	
25 26	15'	28.01	87° 54' 05"	14.46	N 88° 46' 31.5" E	20.82	
13 14	540'	79.43	7° 48' 46"	36.87	N 40° 53' 07" E	73.38	
14 15	15'	23.99	91° 38' 14"	15.43	N 8° 48' 23" W	21.51	
32 33	15'	23.10	88° 36' 09"	14.64	S 81° 04' 25.7" W	20.55	
31 32	600'	84.39	8° 03' 02"	42.23	S 40° 47' 53.7" W	84.66	
29 30	15'	24.11	92° 05' 55"	15.36	S 7° 13' 21.5" E	21.60	
40 41	15'	23.99	87° 54' 05"	14.46	N 88° 46' 31.5" E	20.82	
36 37	540'	79.43	7° 48' 46"	36.87	N 40° 53' 07" E	73.38	
35 36	15'	23.11	88° 15' 27"	14.55	N 7° 11' 53.5" W	20.57	
35 32	445'	146.36	18° 55' 16"	74.15	S 47° 52' 05" E	146.29	
34 35	385'	105.63	16° 13' 04"	53.10	S 46° 27' 58" E	105.28	
34 35	285'	69.09	13° 52' 22"	34.71	S 47° 40' 43" E	68.92	
8 9	265'	147.66	31° 53' 30"	75.80	N 38° 39' 45" W	145.75	
56 57	285'	53.71	10° 47' 52"	26.39	S 28° 45' 56" E	53.63	
58 59	385'	88.87	13° 13' 54"	44.61	S 29° 18' 47" E	88.68	
57 52	15'	23.59	90° 05' 33"	15.02	N 77° 27' 15" W	21.23	
38 30	545'	203.79	27° 38' 03"	104.18	S 41° 59' 42.5" E	204.57	
39 43	561'	90.19	9° 12' 41"	45.29	S 47° 34' 45.5" E	90.09	
44 49	501'	81.94	8° 28' 16"	41.55	S 55° 08' 30" E	81.87	
48 49	440'	86.33	11° 14' 30"	43.34	S 50° 46' 35.5" W	86.15	
46 47	15'	24.11	92° 05' 55"	15.36	S 7° 13' 21.5" E	21.60	
67 68	15'	23.01	87° 54' 05"	14.46	N 88° 46' 31.5" E	20.82	
65 66	500'	104.16	11° 56' 00"	52.27	N 50° 47' 34" E	103.97	
62 63	15'	21.00	80° 12' 00"	12.63	N 17° 24' 00" E	13.32	
61 73	110'	215.94	112° 28' 30"	164.55	S 78° 36' 15" E	182.30	
60 74	170'	333.72	112° 28' 30"	254.30	S 78° 36' 15" E	282.64	
71 72	15'	24.11	92° 05' 55"	15.36	S 7° 13' 21.5" E	21.60	
75 76	15'	23.01	87° 54' 05"	14.46	N 88° 46' 31.5" E	20.82	

The lines shown here are developed as Minimum Building Lines. The minimum setbacks at buildings as required under the zoning laws and regulations of Baltimore County and not the setbacks which may be required under the provisions of any zoning laws now or hereafter imposed on said land. The showing of the land hereon subdivided into lots is for the purpose of showing only a contemplated subdivision of lots and shall not be construed as implying or meaning that the land must be developed or built in accordance with the lot subdivision as shown hereon.

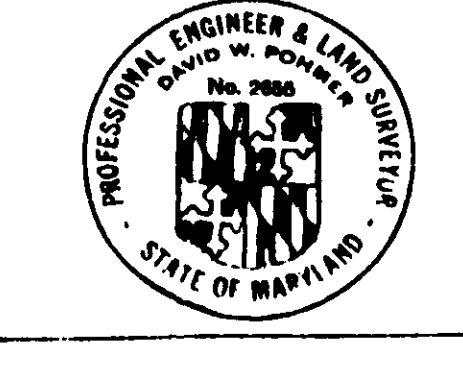
P.W.A. Completed 7/25/59  
Final Plat Checked:  
Planning  
Engineering  
Date 9-8-59

APPROVED  
DATE 9/10/59  
COUNTY ENGINEER  
APPROVED  
DATE 9/10/59  
DIRECTOR OF THE PLANNING BOARD  
APPROVED  
DATE 9/10/59  
DEPUTY STATE & COUNTY HEALTH OFFICER

OWNERS CERTIFICATE  
The undersigned, THE FENWICK CORPORATION, do hereby certify that the lot shown hereon is for the purpose of dedication. This plat shows only a contemplated layout of streets and ways, and no rights or easements of any kind are intended to be conveyed or implied by the showing of streets and ways hereon.

ENGINEER'S CERTIFICATE  
I, DAVID W. POMMER, a Registered Professional Engineer in the State of Maryland, do hereby certify that the lot shown hereon is for the purpose of dedication. This plat shows only a contemplated layout of streets and ways, and no rights or easements of any kind are intended to be conveyed or implied by the showing of streets and ways hereon.

The showing of streets and ways on this plat is for the purpose of dedication only and is not for the purpose of dedication. This plat shows only a contemplated layout of streets and ways, and no rights or easements of any kind are intended to be conveyed or implied by the showing of streets and ways hereon.



Drawn by ELL  
Checked by ME  
DAVID W. POMMER  
REGISTERED ENGINEER & LAND SURVEYOR  
OFFICE: 633 PANK AVE. BALTO., MD.  
SCALE 1"=50' ISSUED 8-3-59

#38  
93-36-A